



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SK/FJN/ADW/CWE
F.#2015R00471/OCDETF #NY-NYE-777

271 Cadman Plaza East
Brooklyn, New York 11201

April 8, 2025

By FedEx

Elizabeth E. Macedonio, Esq.
52 Duane Street, 7th Floor
New York, New York 10007

Michael Vitaliano, Esq.
1492 Victory Blvd
Staten Island, NY 10301

Re: United States v. Rafael Caro Quintero
Criminal Docket No. 15-208 (FB)

Dear Counsel:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The enclosed items constitute SENSITIVE DISCOVERY MATERIAL and are governed by the Stipulation and Order previously entered by the Court (ECF No. 99).

The government also requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. The Defendant's Criminal History

At the present time, the government is not aware of any prior criminal history of the defendant in the United States.

B. Documents and Tangible Objects

Enclosed please find:

- Intercepted electronic communications between co-conspirators (in a file folder Bates-numbered SENSITIVE_QUINTERO000001); and

- Applications, supporting affidavits, court orders, and court filings relating to Title III orders authorizing the interception of electronic communications (in a file folder Bates-numbered SENSITIVE_QUINTERO000002).

C. Reports of Examinations and Tests

The government will provide you with copies of any reports of examinations or tests in this case as they become available.

D. Expert Witnesses

The government will comply with Fed. R. Crim. P. 16(a)(1)(G) and Fed. R. Evid. 702, 703 and 705 and notify you in a timely fashion of any expert that the government intends to call at trial and provide you with a summary of the expert's opinion.

E. Other Crimes, Wrongs or Acts

The government will provide the defendant with reasonable notice in advance of trial if it intends to offer any material under Fed. R. Evid. 404(b).

II. The Defendant's Required Disclosures

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, data, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial, or that were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, the government requests that the defendant have copies of those statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for the opinions, and the qualification of the witnesses.

Pursuant to Fed. R. Crim. P. 12.3, the government hereby demands written notice of the defendant's intention, if any, to claim a defense of actual or believed exercise of public authority, and also demands the names and addresses of the witnesses upon whom the defendant intends to rely in establishing the defense identified in any such notice.

IV. Future Discussions

Please contact us if you have any questions or requests regarding discovery in this matter.

Very truly yours,

JOHN J. DURHAM
United States Attorney

By: /s/
Saritha Komatireddy
Francisco J. Navarro
Andrew D. Wang
Chand W. Edwards-Balfour
Assistant U.S. Attorneys
(718) 254-7000

Enclosures

cc: Clerk of the Court (FB) (by ECF) (without enclosures)